

Senate Bill No. 651

CHAPTER 197

An act to amend Section 52052.1 of, and to add Section 48070.6 to, the Education Code, relating to pupil retention.

[Approved by Governor October 11, 2009. Filed with
Secretary of State October 11, 2009.]

LEGISLATIVE COUNSEL'S DIGEST

SB 651, Romero. Pupil retention.

Existing law requires the governing board of each school district and each county superintendent of schools to adopt policies regarding pupil promotion and retention. Existing law requires the Commission on Teacher Credentialing, the state board, and the department to provide to the State Chief Information Officer the individual nonpersonally identifiable or aggregate data related to adequate yearly progress, graduation rates, pupils who drop out of school, and demographics of pupils and teachers.

This bill would require the Superintendent, on or before August 1, 2011, and annually thereafter, to submit to the Governor, the Legislature, and the state board, a report called the Annual Report on Dropouts in California. The bill would require, among other things, that the report contain specified information on dropout rates, graduation rates, pupil promotion rates, course enrollment patterns, and behavioral data. The bill would require that the report include data from the most recent year and, at a minimum, the two prior years. The bill would also require the Superintendent to make an oral presentation of the contents of the report to the state board and to make the contents of the report available on the department's Internet Web site. The bill would state the intent of the Legislature that the report be usable by specified groups for analyzing the high rate of dropouts in California.

Existing law, operative only if local educational agencies receive a per pupil allocation prior to the 2010–11 fiscal year for implementation of the California Longitudinal Pupil Achievement Data System, as specified, requires, beginning July 1, 2011, that the Academic Performance Index (API) for a school or school district include test scores and other data from pupils who were referred to alternative education programs and include school and school district dropout rates, as specified.

This bill would remove the requirement that local educational agencies receive the specified allocation in order for these provisions to become operative.

The people of the State of California do enact as follows:

SECTION 1. Section 48070.6 is added to the Education Code, to read:
48070.6. (a) On or before August 1, 2011, and annually thereafter, utilizing data produced by the California Longitudinal Pupil Achievement Data System pursuant to Section 60900 and other available data, the Superintendent shall submit to the Governor, the Legislature, and the state board, a report that shall be called the Annual Report on Dropouts in California. The report shall include, but not be limited to, all of the following:

- (1) One-year dropout rates for each of grades 7 to 12, inclusive.
 - (2) Four-year cohort dropout rates for grades 9 to 12, inclusive.
 - (3) Two- or three-year cohort dropout rates, as appropriate, for middle schools.
 - (4) Grade 9 to grade 10 promotion rates.
 - (5) Percentage of high school pupils for each of grades 9 to 12, inclusive, who are on track to earn sufficient credits to graduate.
 - (6) The average number of nonpromotional school moves that pupils make between grades 6 to 12, inclusive.
 - (7) “Full-year” dropout rates for alternative schools, including dropout recovery high schools, calculated using a methodology developed by the Superintendent to appropriately reflect dropout rates in each type of alternative school.
 - (8) An explanation of the methodology or methodologies used to calculate “full-year” dropout rates for alternative schools pursuant to paragraph (7).
 - (9) California High School Exit Examination (CAHSEE) passage rates.
 - (10) Other available data relating to dropout or graduation rates or pupil progress toward high school graduation.
- (b) When cohort dropout rates can be calculated accurately using longitudinal data, the rates described in paragraph (3) of subdivision (a) shall be replaced by dropout rates for cohorts of pupils entering middle school.
- (c) When data is available, the report shall also include all of the following:
- (1) Rates at which pupils graduate in four, five, and six years, pursuant to subparagraph (A) of paragraph (4) of subdivision (a) of Section 52052.
 - (2) Percentage of high school graduates and dropouts who completed courses that are certified by the University of California as meeting admission requirement criteria for the University of California and California State University systems.
 - (3) Percentage of high school graduates and dropouts who completed two or more classes in career technical education.
 - (4) Percentage of high school graduates and dropouts who completed both course sequences described in paragraphs (2) and (3).
 - (5) Behavioral data by school and district, including suspensions and expulsions.
 - (6) Truancy rates.
 - (7) GED earning rates.

(d) If possible, the data listed in subdivisions (a) and (b) shall be presented in the report, organized as follows:

- (1) By state.
- (2) By county.
- (3) By district both including and excluding charter schools.
- (4) By school.

(e) The report shall include data from alternative middle and high schools, including continuation high schools, community day schools, juvenile court schools, special schools, opportunity schools, and schools attended by wards of the Department of Corrections and Rehabilitation, Division of Juvenile Justice.

(f) The report may include relevant data on school climate and pupil engagement from the California Healthy Kids Survey.

(g) If possible, the data listed in subdivisions (a) and (b) shall be presented for the following subgroups, if the subgroup consists of at least 50 pupils, and the subgroup constitutes at least 15 percent of the total population of pupils at a school:

- (1) Grade level.
- (2) Ethnicity.
- (3) Gender.
- (4) Low socioeconomic status.
- (5) English learners.
- (6) Special education status.

(h) The first Annual Report on Dropouts in California shall include data from the most recent year. Subsequent annual reports shall include data from the most recent year and, at a minimum, the two prior years, so that comparisons can be made easily.

(i) The Superintendent or his or her designee shall make an oral presentation of the contents of the report to the state board at a regularly scheduled meeting of the board.

(j) The Superintendent shall make the contents of the report available on the department's Internet Web site in a format that is easy for the public to access and understand.

(k) If inclusion of school-level data would render the written report unwieldy, the data may be omitted from the written report and posted on the department's Internet Web site.

(l) It is the intent of the Legislature that the report prepared by the Superintendent be usable by schools, districts, policymakers, researchers, parents, and the public, for purposes of identifying and understanding trends, causal relations, early warning indicators, and potential points of intervention to address the high rate of dropouts in California.

(m) For purposes of this section, dropouts shall be defined using the exit/withdrawal codes developed by the department.

(n) For purposes of this section, "dropout recovery high school" has the same meaning as defined in subparagraph (C) of paragraph (4) of subdivision (a) of Section 52052.

SEC. 2. Section 52052.1 of the Education Code is amended to read:

52052.1. (a) Beginning July 1, 2011, in addition to the test scores specified in subparagraph (B) of paragraph (4) of subdivision (a) of Section 52052, the Academic Performance Index (API) for a school or school district shall do all of the following:

(1) Include the test scores and other accountability data of enrolled pupils who were referred by the school or school district of residence to an alternative education program, including community, community day, and continuation high schools and independent study, and be calculated by assigning all accountability data on pupils in alternative education programs, including community, community day, and continuation high schools and independent study, to the school and school district of residence to ensure that placement decisions are in the best interests of affected pupils. If a pupil is referred to an alternative education program by a juvenile court judge or other correctional or judicial official, or if the pupil is expelled pursuant to subdivision (a), (b), or (c) of Section 48915, the test scores of that pupil shall remain with the alternative education program and with the school district or county office of education serving that pupil. This section does not prohibit the alternative education program from counting the test scores of those pupils served in their alternative education program. It is the intent of the Legislature that these alternative education programs remain accountable to the pupils they serve.

(2) Exclude the test scores or other data of those pupils exempt pursuant to federal statute or federal regulation.

(3) Include school and school district dropout rates for pupils who drop out of school while enrolled in grade 8 or 9. If reliable data is not available by July 1, 2011, the Superintendent, on or before that date, shall report to the Legislature the reasons for the delay and date he or she anticipates the specified dropout rates will be included in the API.

(b) The advisory committee established pursuant to Section 52052.5 shall recommend to the Superintendent and the state board all of the following:

(1) The length of time for which the accountability data on pupils in alternative education programs shall be assigned to the school and school district of residence pursuant to paragraph (1) of subdivision (a).

(2) Whether it is appropriate to assign accountability data to the school or the school district, pursuant to paragraph (1) of subdivision (a), if the pupil never attended the school of residence or has been absent for more than one year from the school district of residence due to placement in another school or school district or out of state.